

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Norfolk Division

| | | |
|--------------------------|---|-----------------------|
| UNITED STATES OF AMERICA |) | |
| |) | |
| v. |) | CRIMINAL NO. 2:16cr17 |
| |) | |
| SONYA SKINNER, |) | |
| |) | |
| <i>Defendant.</i> |) | |

MOTION OF THE UNITED STATES TO
REVOKE THE TERMS AND CONDITIONS OF RELEASE

COMES NOW the United States of America, by and through its attorneys, Dana J. Boente, United States Attorney for the Eastern District of Virginia, and Joseph L. Kosky, Assistant United States Attorney, and respectfully moves this Court, pursuant to Title 18, United States Code, Section § 3148(b), to revoke the terms and conditions of the Order Setting Conditions of Release entered on February 4, 2016.

On February 4, 2016, at the defendant's initial appearance on the pending indictment, the Court permitted the defendant to be released on terms and conditions. *See* ECF No. 9. Because the pending charges related to the defendant's activities as a bankruptcy petition preparer and because the defendant has a history of violating court orders regarding her activities as a bankruptcy petition preparer¹, the Court imposed the following specific condition of release upon the defendant, among others: "Deft is prohibited from preparing any bankruptcy petitions." *Id.* at 2.

¹ It should be noted that the Bankruptcy Court entered its first injunction against the defendant on August 17, 2010. *See In re Pamela Ann Jay*, Case No. 09-72934, ECF No. 42. Since that time, the defendant has been further enjoined by the Court on July 3, 2012, *see In re Nicole Maria Jackson*, Case No. 12-70500, ECF No. 68, August 8, 2013, *see In re Felicia Trotter and Alonzo Breon Phillips*, Case No. 13-70729, ECF No. 48, and found in civil contempt on July 10, 2014, *see In re Frances C. Riddick*, Case No. 14-70151, ECF No. 37. Notwithstanding these orders, the defendant continued to prepare bankruptcy petitions leading to the charges pending in the instant case.

On March 23, 2016, pursuant to a plea agreement with the United States, the defendant appeared before the Court and entered guilty pleas to two misdemeanor counts of a criminal information. ECF No. 16. At the conclusion of her guilty pleas, a sentencing hearing was set for June 29, 2016 and the defendant was continued on the same conditions of release. ECF No. 13.

On April 20, 2016, a bankruptcy filer appeared before the United States Bankruptcy Court for the Eastern District of Virginia. During questioning about her bankruptcy petition before the Court, the filer admitted to the Court that someone named “Sonya” assisted in the preparation of her bankruptcy petition, despite the fact that her bankruptcy petition indicated that no one had assisted her in preparing the petition. Based upon this admission, the U.S. Trustee’s Office provided notice to the Federal Bureau of Investigation (FBI) and the U.S. Attorney’s Office that it appeared Sonya Skinner, the defendant, had assisted in preparing a bankruptcy petition in violation of her bond.

Further investigation identified the bankruptcy filer and she was interviewed by the FBI. The bankruptcy filer positively identified the defendant, SONYA SKINNER, as the individual who assisted her in the preparation of her bankruptcy petition. According to the bankruptcy filer, the defendant and the filer first met at the defendant’s home in Hampton, Virginia on March 13, 2016. The defendant provided the filer all of the necessary bankruptcy forms and instructed the filer about what to write on the forms, which boxes to check, and where to sign the documents. The defendant and the filer met again on March 26 or 27, 2016 to complete additional bankruptcy paperwork. All of this activity occurred after the defendant was arrested and released under conditions of bond. The second meeting with the filer occurred after the

defendant entered a plea of guilty in this matter.

Based upon the defendant's continuing criminal conduct, as well as her documented history for violating orders of the Court, it is clear that there is no condition, or combination of conditions, that can reasonably assure the economic safety of the community. In addition, the defendant's repeated disrespect for the Court's authority demonstrates an unacceptable risk that she will not appear for further proceedings before the Court. Furthermore, it is unlikely that this defendant, based upon her history of violating Court orders, will abide by any condition or combination of conditions of release. As such, the United States asserts that the prudent course of action is to take immediate action by revoking the defendant's bond to prevent her from further violating the orders and admonitions of the Court and to ensure her appearance at sentencing. In light of the defendant's actions and the unacceptable risk they present, the United States moves that the defendant's bond be revoked immediately.

Furthermore, the United States is requesting that this Court issue an arrest warrant for the defendant charging her with these violations and that she be brought forthwith to the Court for a hearing pursuant to 18 U.S.C. § 3148(b).

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CERTIFICATE OF SERVICE

I hereby certify that on the 2nd day of May, 2016, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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